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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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12 SCOTT JOHNSON,

13 Plaintiff,

CIV S-04-0699 LKK PAN

14 v.

15 THE NORMAN and EDITH HILL  
16 TRUST, PAIMAN RAHBARIAN,

ORDER

17 Defendants.  
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19 The court vacates that portion of its order filed September  
20 22, 2005, requiring service of plaintiff's motion for default  
21 judgment upon the attorney for defendant Paiman Rahbarian.  
22 Plaintiff electronically served its motion upon Mr. Rahbarian's  
23 attorney in a timely manner, providing a certificate of service  
24 upon only Mr. Rahbarian because he required service by mail.

25 A prospective new attorney for Mr. Rahbarian has informed  
26 the court that he intends to seek to substitute as counsel and

1 respond to plaintiff's motion for default judgment. Accordingly,  
2 the court will adhere to the rescheduling of the hearing on this  
3 matter to Wednesday, October 12, 2005, at 9 a.m., in Courtroom  
4 25.

5 So ordered.

6 Dated: September 29, 2005.

7 /s/ Peter A. Nowinski  
8 PETER A. NOWINSKI  
9 Magistrate Judge  
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